

1 Jennifer C. Pizer (CA Bar No. 152327)  
2 Lambda Legal Defense and Education Fund  
3 4221 Wilshire Blvd., Suite 280  
4 Los Angeles, CA 90010  
(213) 590-5903  
4 jpizer@lambdalegal.org

5 M. Currey Cook (NY Bar No. 4612834)  
6 (admitted *pro hac vice*)  
7 Lambda Legal Defense and Education Fund  
8 120 Wall St., 19<sup>th</sup> Fl.  
9 New York, New York 10005  
8 ccook@lambdalegal.org  
Telephone: (212) 809-8585

10 Sasha Buchert (OR Bar No. 070686)  
11 (admitted *pro hac vice*)  
12 Lambda Legal Defense and Education Fund  
13 1776 K Street, N.W., 8th Floor  
14 Washington, DC 20006-2304  
15 Sbuchert@lambdalegal.org  
16 Telephone: (202) 804-6245

17 *Counsel for Plaintiffs*

Jeffrey B. Dubner (DC Bar No. 1013399)  
(admitted *pro hac vice*)  
Kristen Miller (DC Bar No. 229627)  
(admitted *pro hac vice*)  
Sean A. Lev (DC Bar. No. 449936)  
(admitted *pro hac vice*)  
Democracy Forward Foundation  
P.O. Box 34553  
Washington, DC 20043  
jdubner@democracyforward.org  
kmiller@democracyforward.org  
slev@democracyforward.org  
Telephone: (202) 448-9090

Kathryn E. Fort (MI Bar No. 69451)  
(admitted *pro hac vice*)  
Michigan State University College of Law  
Indian Law Clinic  
648 N. Shaw Lane  
East Lansing, M.I. 48824  
fort@msu.edu  
Telephone: (517) 432-6992

*Counsel for Plaintiffs*

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 CALIFORNIA TRIBAL FAMILIES COALITION,  
22 YUROK TRIBE, CHEROKEE NATION, FACING  
23 FOSTER CARE IN ALASKA, ARK OF  
24 FREEDOM ALLIANCE, RUTH ELLIS CENTER,  
25 and TRUE COLORS, INC.,

26 Plaintiffs,

27 v.

28 ALEX AZAR, in his official capacity as Secretary of  
29 Health and Human Services, LYNN A. JOHNSON,  
30 in her official capacity as Assistant Secretary for the  
31 Administration for Children and Families, U.S.  
32 DEPARTMENT OF HEALTH AND HUMAN  
33 SERVICES, and ADMINISTRATION FOR  
34 CHILDREN AND FAMILIES,

35 Defendants.

Case No. 3:20-cv-6018-MMC

**JOINT STIPULATED REQUEST RE:  
BRIEFING SCHEDULE**

1 Pursuant to this Court's Standing Order (ECF No. 38-1) and Local Civil Rules 6-2 and 7-  
 2 12, the Parties hereby stipulate to and respectfully request entry of a Court order enlarging the  
 3 time for summary judgment briefing consistent with the following schedule:

4

- 5 • October 15: Defendants' combined response to Plaintiffs' motion for summary  
 judgment and cross-motion for voluntary remand
- 6 • November 5: Plaintiffs' combined reply in support of their motion and response to  
 Defendants' cross-motion
- 7 • November 19: Defendants' reply in support of their cross-motion
- 8 • December 3, or the next available date: Hearing on the cross-motions

9 Defendants maintain their request for a stay of summary judgment briefing, which Plaintiffs  
 10 continue to oppose. *See* Doc. No. 96 (Sept. 3, 2021). If the Court grants that request, Defendants  
 11 shall file their motion for voluntary remand on October 15, 2021.

12 This enlargement was agreed upon through mediation with Magistrate Judge Beeler to  
 13 allow Defendants time to provide a settlement proposal to Plaintiffs. Defendants will make best  
 14 efforts to provide a settlement proposal by September 30, 2021, addressing the questions posed by  
 15 Plaintiffs during mediation. If Defendants are not able to do so, they will provide a date certain on  
 16 September 30 for providing such a proposal. The parties agree that no further extensions of  
 17 Defendants' next filing deadline will be sought except pursuant to joint agreement by the parties  
 18 or in exigent circumstances.

19 IT IS SO STIPULATED.

20 Dated: September 15, 2021

21 Respectfully submitted,

22 By: /s/ Jeffrey B. Dubner  
 23 Jeffrey B. Dubner (DC Bar No. 1013399)  
 (admitted *pro hac vice*)  
 24 Kristen Miller (D.C. Bar. No. 229627)  
 (admitted *pro hac vice*)  
 25 Sean A. Lev (D.C. Bar. No. 449936)  
 (admitted *pro hac vice*)  
 26 Democracy Forward Foundation  
 P.O. Box 34553  
 27 Washington, DC 20043  
 jdubner@democracyforward.org  
 28 kmiller@democracyforward.org

1 slev@democracyforward.org  
2 Telephone: (202) 448-9090

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4 Lambda Legal Defense and Education Fund  
5 4221 Wilshire Blvd., Suite 280  
6 Los Angeles, CA 90010  
7 (213) 590-5903  
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12 120 Wall St., 19<sup>th</sup> Fl.  
13 New York, New York 10005  
14 ccook@lambdalegal.org  
15 Telephone: (212) 809-8585

16 Sasha Buchert (Oregon Bar No. 070686)  
17 (admitted *pro hac vice*)  
18 Lambda Legal Defense and Education Fund  
19 1776 K Street, N.W., 8th Floor  
20 Washington, DC 20006-2304  
21 Sbuchert@lambdalegal.org  
22 Telephone: (202) 804-6245

23 Kathryn E. Fort (MI Bar No. 69451)  
24 (admitted *pro hac vice*)  
25 Michigan State University College of Law  
26 Indian Law Clinic  
27 648 N. Shaw Lane  
28 East Lansing, M.I. 48824  
29 fort@msu.edu  
30 Telephone: (517) 432-6992

31 *Counsel for Plaintiffs*

32 Dated: September 15, 2021

33 Respectfully submitted,

34 DAVID L. ANDERSON

35 United States Attorney

36 /s/ Emmet P. Ong

37 EMMET P. ONG

38 Assistant United States Attorney

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2 *Counsel for Defendants*

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## [PROPOSED] ORDER

Pursuant to stipulation of the parties, IT IS SO ORDERED.

DATED: \_\_\_\_\_

**HON. MAXINE M. CHESNEY**  
United States District Judge